



Stuart Kossar, Esq.
(212) 661-2900 ext. 4115
(212) 661-9397 (fax)
skossar@kandfilp.com

August 9, 2024

**Via ECF &
Electronic Mail (Nhl Hearings@nyeb.uscourts.gov)**

Hon. Nancy Hershey Lord, U.S.B.J.
U.S. Bankruptcy Court, E.D.N.Y.
Conrad B. Duberstein, U.S. Courthouse
271-C Cadman Plaza East
Courtroom 3577
Brooklyn, New York 11201

**Re: Q AND Q REALTY, L.L.C.
BK Case No. 24-41893-nhl**

Dear Judge Lord:

This firm is counsel to secured creditor, 9502 35th Ave LLC (the “Secured Creditor”) in the above-referenced matter. We write in response to the letter-request [ECF No. 37] (the “Letter-Request”) filed by the Debtor, Q and Q Realty, L.L.C. (the “Debtor”) seeking to extend the Debtor’s exclusive periods in which to file a Chapter 11 plan and solicit acceptances thereof (the “Exclusive Periods”). As shall be set forth below, the Letter-Request must be denied because this Court does not entertain “letter requests” and the relief sought by Debtor can only be obtained by a motion and after notice and a hearing.

Pursuant to Section 9013 of Title 11 of the United States Code (the “Bankruptcy Code”) a request for an order shall be by written motion, stating with particularity the relief sought. *See* 11 U.S.C. § 9013. Further, Debtor’s request to extend the Exclusive Periods can only be granted after notice and a hearing.¹ *See* 11 U.S.C. § 1121(d)(1). Here, the Debtor fails to comply with Sections 1121(d)(1) and 9013 of the Bankruptcy Code for failing to file a written motion and seeking relief without notice and a hearing.

Based on the foregoing, the Letter-Request must be denied.²

¹ Although the Letter-Request does not cite any legal authority presumably Debtor seeks relief under Section 1121 to extend the Exclusive Periods.

² Secured Creditor expressly reserves to submit a more fulsome objection to any further request to extend the Exclusive Periods.

Hon. Nancy Hershey Lord, U.S.B.J.
United States Bankruptcy Court
August 9, 2024
Page 2

Should you require anything further, please do not hesitate to contact the undersigned.

Respectfully,

/s/Stuart Kossar, Esq.
Stuart Kossar, Esq.

Counsel to 9502 35th Ave LLC

CC: All parties via ECF